IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1635 OF 2006
IN
SUIT NO.2341 OF 1986

Dr.Aspi Framroz Golwala & Ors. ...Plaintiffs

Versus

Gajaraben Raman Babu Dodhia & Ors. ...Defendants

And

Minoo R. Shroff & Ors. ...Applicants

Ms Z.B.Mistry i/by Pardiwala & Co for the Applicants.

CORAM : ABHAY S.OKA, J.
DATED : AUGUST 04, 2007.

P.C.:

1. Heard the learned counsel appearing for the Applicants in support of the chamber Summons. The learned counsel for the Applicants states that Chamber Summons has been duly served to the concerned parties.

2. The prayer in the Chamber Summons is that the Applicants be allowed to be substituted as Plaintiffs in place and instead of Plaintiff Nos.1 to 7.

3. The Plaintiffs who have filed the suit were the then trustees of the Funds and Properties of the Parsi Panchayat at the time of filing of the suit. It is stated in the affidavit in support that elections were

held and seven new trustees were elected in place and instead of the retiring and resigning trustees. Out of the seven elected trustees one has since expired and the six Applicants are the remaining trustees.

4. In view of the averments made in the affidavit in support of the Chamber Summons, the same deserves to be made absolute. Accordingly, Chamber Summons is made absolute in terms of prayer clauses (a) and (b). Amendment to be carried out within four weeks.

5. Place the Notice of Motion No.2010 of 2006 on board on 11th September, 2007.

JUDGE